

Property I--Fall 2009--Day Division
Professor Lynn Foster

Text: Nelson, Stoebuck & Whitman, *Contemporary Property* (3d ed.).

Friday, August 21: Pp. 1-48. Prior to *Popov v. Hayashi*, read and brief *Pierson v. Post*, which was distributed to you at Orientation. Pp. 1-30 are introductory materials. We will not spend much time on them in class, but you should read them. Regarding the remedies and causes of action discussion beginning on p. 31, be sure to include the modern remedies and causes of action in your outline. As an example of what is involved when suing in replevin, see Ark. Code Ann. §§ 18-60-804 et seq. (on the disc that I will hand out the first day). Skip *Ganter*, except for its discussion of *Armory v. Delamirie* on p. 46. Read Ark. Code Ann. § 1-2-119. Is *Armory* binding on the courts of Arkansas?

Ark. Code Ann. 1-2-119. Common and statute law of England adopted.

The common law of England, so far as it is applicable and of a general nature, and all statutes of the British Parliament in aid of or to supply the defects of the common law made prior to March 24, 1606, which are applicable to our own form of government, of a general nature and not local to that kingdom, and not inconsistent with the Constitution and laws of the United States or the Constitution and laws of this state, shall be the rule of decision in this state unless altered or repealed by the General Assembly of this state.

History. Rev. Stat., ch. 28, § 1; C. & M. Dig., § 1432; Pope's Dig., § 1679; A.S.A. 1947, § 1-101.